



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2021

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

W.P. (MD) No. 13005 of 2018

C. Sathiyar

.. Petitioner

Vs.

1. The State of Tamilnadu,
Represented by Secretary to Government,
Environment and Forest Department,
Secretariat,
Chennai.

2. The Divisional Manager,
Arasu Rubber Plantation,
Mylar Division,
Sithar Colony -629 161,
Kanyakumari District.

3. The Assistant Provident Fund Commissioner (Pension)
Nagercoil,
Kanyakumari District.

4. The District Forest Officer,
Nagercoil,
Kanyakumari District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents to sanction and pay the pension by calculating the service rendered by the petitioner as Night Watchman from 01.04.1972 to 01.10.1984 at Forest Department by considering the representation of the petitioner dated 12.11.2016 within a stipulated time that may be fixed by this court.

For Petitioner
For Respondent

: M/s. S.C. Herold Singh
: Mr. K.S. Selvaganesh,
Standing Counsel,
for R1 and R4
Mr. S.M.S. Johnny Basha,
for R2- No appearance



ORDER

Heard Mr. Herlod Singh, learned counsel for the petitioner and Mr. Selvaganesan for R1 and R4. No appearance for R2 and R3 as on the earlier occasions, despite names of learned counsels being printed in the cause list. Counter has been filed by R2, the contesting respondent.

2. The prayer of the petitioner is for a mandamus directing the respondents to sanction and pay pension by calculating the service rendered by the petitioner as Night Watchman for the period 01.04.1972 to 01.10.1984 in the Forest Department. The petitioner has in fact made the same claim by way of representation dated 12.11.2016 filed before R2, which is pending till date.

3. Learned Government Pleader draws attention to a communication issued by R4 to R2 in Na.Ka.No. 2/3246/2017 dated 21.04.2017 calling for the particulars of the petitioner's service, to which there does not appear to have been any response from R2. The claim of the petitioner thus, appears to be under process, awaiting certain details from R2.

4. In the aforesaid circumstances, it would suffice that a direction be issued to R2 to consider the representation of the petitioner dated 12.11.2016, hear the petitioner and pass appropriate order thereupon in accordance with law within a period of four weeks from date of uploading of a copy of this order upon the official website of this court.

5. The mandamus as sought for thus stands achieved. This writ petition stands disposed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned



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+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-34238[F] dated
12/11/2021)

+1 CC to M/s.SPL GP (SR-34459[F] dated 15/11/2021)